



PATENT

Attorney Docket No. 30311/35918

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICEApplicants:
Drmanac *et al.*

Serial No.: 09/479,608

Filed: January 6, 2000

For: ENHANCED
SEQUENCING BY
HYBRIDIZATION
USING POOLS OF
PROBES

Group Art Unit: 1631

Examiner: L. Clow

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December 18, 2002

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Plunkett
11/22/03**RESPONSE TO OFFICE ACTION DATED NOVEMBER 18, 2002**Commissioner for Patents
Washington, DC 20231

Sir:

This paper is filed in response to an Office Action mailed from the United States Patent and Trademark Office on November 18, 2002. This response is due on December 18, 2002, and as such is timely filed. No fees are believed to be due; however, should any fees be properly due in connection with the filing of this document, the Commissioner is hereby authorized to deduct any such fees from Marshall, Gerstein & Borun account number 13-2855.

In light of the remarks presented below, Applicants request reconsideration of the application.

I. Response to Objections Regarding Informal Drawings

In the above-referenced action, the Examiner indicated that the changes required by the draftsman and sent out on 21 May 2002 have not been made. Applicants traverse. The aforementioned notice from the draftsman indicated that the right margin of Figures 1 and 4 did not meet the margin requirements of 37 C.F.R. §1.84(g). That rule requires that the right margin be 1.5 cm wide for drawings

submitted on A4 paper. The formal drawings submitted by Applicants as Appendix B in Applicants' August 20, 2002 communication complied with the requirements of 37 C.F.R. §1.84(g) in that the right margin on said drawings was at least 1.5 cm.

Applicants believe that the previously submitted formal drawings are in compliance with the formal drawing requirements of 37 C.F.R. §1.84. Should the Examiner still find the drawings as informal, Applicants request that the requirement for resubmission of formal drawings be held in abeyance, until allowable subject matter is secured and Applicants be given a further opportunity to discuss the drawings with the Examiner.

II. Response to Objections Regarding Specification

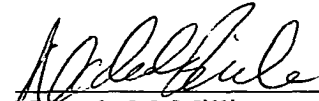
The Examiner informed Applicants that the substitute specification filed on August 20, 2002 was not entered because it did not conform to 37 C.F.R. §1.125(b), which requires **both a marked-up version of the substitute specification showing all changes and a clean copy** of the substitute specification. Both copies are attached herewith. As stated in the previous two correspondences, amendments were made to the specification only to include references to the previously requested Sequence Listing, and as a result, the amendments include no new matter. Applicants believe that this submission complies with the requirements of 37 C.F.R. §1.125. Applicants therefore respectfully request that the substitute specification be entered in the application.

III. Conclusion

Applicants believe that Figures 1 and 4 and the substitute specification now meet the relevant requirements and submit that pending claims 1-35 are in condition for allowance. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,
MARSHALL, GERSTEIN & BORUN

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